

Notice of Allowability

Application No.

09/520,404

Applicant(s)

MARTINEK ET AL.

Examiner

Christopher A. Revak

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the response filed on August 1, 2005.
2. ☒ The allowed claim(s) is/are 1,4-21,24-32 and 39.
3. ☒ The drawings filed on 15 March 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date see attached
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 8/18/05
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Chl
Primary Examiner
AU 2131

NOTICE OF ALLOWANCE

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on August 1, 2005 submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the examiner is considering the information disclosure statement. The examiner notes that European Patent Application 0685246 was provided as prior art along with the PTO-1449, however it was not cited. The examiner has included this information in the PTO-1449 and has initialed the reference as being considered.
2. The application by Bakhtiari et al, entitled "Cryptographic Hash Functions: A Survey" was cited on the PTO-1449, however, it has not been provided. The examiner indicated to the applicant's representative that if they wished to have the reference considered, to please provide the reference prior to paying the issue fee and the examiner would consider the reference.

EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Roger Sampson on August 18, 2005.

The application has been amended as follows:

In claim 4, line 1, delete –claim 2- and replace with “claim 1”; and

In claim 5, line 2, delete –claim 2- and replace with “claim 1”.

Allowable Subject Matter

4. The following is an examiner's statement of reasons for allowance:

The examiner notes that PCT application WO 00/33196 is similar to the applicant's teachings by reciting “when a machine needs to load a piece of software, or upon an external command after a significant event such as a jackpot payoff, it will execute the SHA-1 program code in the EPROM on the software being loaded, and then perform a DSA verification operation using the SHA-1 output as one of the parameters” as recited on page 7, lines 20-24. It is noted that execution of the program is prevented if the digital signature is not valid, see page 3, lines 19 which is different from the applicant's claimed invention whereby the comparison of the reference hash value is conducted as a continuously executing program thread executing during play of the computerized wagering game apparatus.

As per claims 1 and 16, it was not found to be taught in the prior art of hashing game data/program to produce a resulting hash value and comparing that against a reference hash value using a continuously executing thread during play/execution of a computerized wagering game apparatus to ensure that the game data/program has not changed since calculation of the reference hash value.

As per claim 39, it was not found to be taught in the prior art of generating a message digest from the gaming program code and comparing the message digest with a gaming program code signature to verify that they are identical wherein the authentication program is continuously executing by a continuously executing program thread executing during play of the computerized wagering game apparatus.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

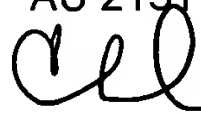
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher A. Revak whose telephone number is 571-272-3794. The examiner can normally be reached on Monday-Friday, 6:30am-3:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CR

August 18, 2005

Christopher Revak
Primary Examiner
AU 2131

8/18/05